

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant:	Jennifer Jie Fu	Patent Application	
Application No.:	10/644,948	Group Art Unit:	2179
Filed:	August 19, 2003	Examiner:	Tran, Tuyetlien T.

For: ARRANGEMENTS AND METHODS FOR VISUALLY INDICATING
NETWORK ELEMENT PROPERTIES OF A COMMUNICATION NETWORK

REPLY BRIEF

In response to the Examiner's Answer mailed on February 6, 2009, Appellant respectfully submits the following remarks.

REMARKS

Appellant submits the following remarks in response to the Examiner's Answer. In these remarks, Appellant addresses certain arguments presented in the Examiner's Answer. While only certain arguments are addressed in this Reply Brief, this should not be construed that Appellant agrees with the other arguments presented in the Examiner's Answer.

Response to Argument of Examiner's Answer

35 §USC 102(b)

The Examiner's Answer asserts that Patterson discloses embodiments of Appellant's Claim 1 (Examiner's Answer Pages 4-5). Appellant respectfully submit that Patterson does not anticipate the claimed embodiments.

Appellant notes that MPEP §2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Appellant respectfully assert that Patterson does not disclose "associating a subset of said first set of properties with said first network element icon, thereby causing said subset of said first set of properties to also be associated with said first network element, said associating a subset of said first set of properties performed by said user" as is disclosed by Appellant's Claim 1. The Examiner's Answer relies on Figure 4A to disclose Appellant's claimed embodiments as

well as paragraphs [0238] and [0239]. (Examiner's Answer; page 4, lines 21 through page 5, line 4).

In paragraph [0238], Patterson states "FIG. 4A is a diagram of a server tier configuration dialog that may be used to create or modify one or more parameter values pertaining to a server." In paragraph [0239], Patterson states "[a] Name value may be entered in a name field 402."

Appellant respectfully submit that the ability to "create or modify one or more parameter values pertaining to a server" as is disclosed by Patterson is not "associating a subset of said first set of properties with said first network element icon" as is disclosed by Appellant's Claim 1. Furthermore, a server is not a network element. Appellant has reviewed Patterson and respectfully submit that Patterson does not disclose "associating a subset of said first set of properties with said first network element icon" in portions cited by the Examiner's Answer nor in other portions of Patterson.

Additionally, Appellant respectfully assert that Patterson does not disclose "displaying at least one visual indicator in said GUI display, said at least one visual indicator being displayed in a visually connected manner with said first network element icon, said at least one visual indicator visually indicating in said GUI display that said subset of said first set of properties is being associated with said first network element in said communication network" as is disclosed by Appellant's Claim 1. The Examiner's Answer again relies on 324C of Figure 3A to disclose Appellant's claimed embodiments as well as paragraph [0235]. (Examiner's Answer; page 5, lines 7-12).

In paragraph [0235], Patterson states, “[w]hen a node Name value is changed, the displayed name of the node in the MapView reflects the change as soon as the user closes the configuration dialog.”

Appellant respectfully submit that displaying a change to a “Name value” as is disclosed by Patterson is not “at least one visual indicator visually indicating in said GUI display that said subset of said first set of properties is being associated with said first network element in said communication network” as is disclosed by Appellant’s Claim 1.

Appellant respectfully asserts that Patterson does not teach elements of independent Claim 13 that are similar to the elements of Claim 1. Claims 2-14 depend from Claim 1 and Claims 14-25 depend from Claim 13, as such, Appellant asserts that Claims the dependent Claims are also not taught by Patterson.

Therefore, Appellant respectfully asserts that the Patterson does not anticipate Appellant’s Claims because Patterson does not teach elements of the Claims. As such, Appellant submits that Claims 1-25 are in condition for allowance.

CONCLUSION

In view of the above remarks, Appellant continues to assert that pending Claims 1-25 overcome the grounds of rejection, for reasons presented above and for reasons previously presented in the Appeal Brief.

Respectfully submitted,

WAGNER BLECHER LLP

Dated: 04/06/2009

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